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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

Origin Consulting, LLC, a Nevada limited
liability company; Origin Ventures, LLC f/k/a
Origin Holdings, Inc., a Nevada limited
liability company,

Plaintiff

vs.

Beverly Marquez,

Defendant

Case No.: 2:22-cv-00786-APG-BNW
Case No.: 2:22-cv-00789-GMN-EJY
Case No.: 2:22-cv-00809-JCM-DJA
Case No.: 2:22-cv-00906-APG-VCF

**STIPULATION AND [PROPOSED]
ORDER EXTENDING PRE-TRIAL
DEADLINES**

(First Request)

Origin Consulting, LLC, a Nevada limited
liability company; Origin Ventures, LLC f/k/a
Origin Holdings, Inc., a Nevada limited
liability company,

Plaintiff

vs.

Jason Ali,

Defendant

Origin Consulting, LLC, a Nevada limited
liability company; Origin Ventures, LLC f/k/a
Origin Holdings, Inc., a Nevada limited
liability company,

Plaintiff

vs.

Franco Roig,

1	Defendant
2	Origin Consulting, LLC, a Nevada limited
3	liability company; Origin Ventures, LLC f/k/a
4	Origin Holdings, Inc., a Nevada limited
5	liability company,
6	Plaintiff
7	vs.
8	Robert Thomas,
9	Defendant

10 Plaintiffs and Defendants, by and through their respective undersigned counsel, pursuant to
 11 LR 26-3, LR IA 6-1 and Fed. R. Civ. P. 26, hereby state the following:

12 **I. PROCEDURAL HISTORY**

13 The relevant procedural history is summarized below:

- 14 1. This case encompasses four cases referenced in the caption.
- 15 2. The Complaint in the first action/lead case (this case number) was filed on May 18,
- 16 2022 (ECF No. 1).
- 17 3. Thereafter, other cases were filed, with the fourth case being filed on June 6, 2022.
- 18 4. Notice of Related Cases Under Local Rule 42-1 have been filed (e.g., ECF No. 9).
- 19 5. A Motion to Consolidate Related Cases was filed on June 28, 2022 (ECF No. 14).
- 20 6. An Order Consolidating Cases was entered on or about July 18, 2022 (ECF No. 20).
- 21 7. A Stipulation for Substitution of Counsel for Plaintiffs was filed on August 10, 2022
- 22 (ECF No. 21). A subsequent Order granting the substitution of counsel was entered
- 23 on August 11, 2022 (ECF No. 22).
- 24 8. A Stipulated Discovery Plan and Scheduling Order was thereafter filed by Plaintiffs'
- 25 new counsel on August 13, 2022 (ECF No. 23).
- 26 9. The Court entered an Order approving the parties' Discovery Plan and Scheduling
- 27 Order on August 15, 2022 (ECF No. 24).
- 28

10. On September 27, 2022, the Court entered an Order approving the parties' Stipulated Protective Order governing confidential information (ECF No. 27).

II. GROUND FOR EXTENSION OF DISCOVERY DEADLINES

LR 26-3 governs requests for extension of discovery deadlines and provides that the applicant must show good cause for the extension. LR 26-4 also requires the following to be included in such motion or stipulation:

- (a) A statement specifying the discovery completed;
- (b) A specific description of the discovery that remains to be completed;
- (c) The reasons why discovery remaining was not completed within the time set by the discovery plan; and
- (d) A proposed schedule for completing remaining discovery.

A. Good Cause Exists to Extend the Discovery Deadlines.

Plaintiffs, in the Spring of 2022, sued four former employees for alleged federal trade secret misappropriation, state trade secret misappropriation, and breach of contract, and has alleged other related claims against Defendant Thomas. The cases were filed in May and June of 2022.

After Plaintiffs initiated this suit, the Parties discussed and have stipulated to consolidating the cases for purposes of discovery due to anticipated overlaps in discovery sought and produced. The Court consolidated the cases.

After consolidation, Plaintiffs substituted new counsel in this matter. The Defendants are represented by separate counsel. More particularly, three Defendants are represented by one firm and the other Defendant is represented by another law firm. Counsel have been cooperatively working with one another in this matter.

Plaintiffs' former counsel participated in the Rule 26 Conference. Plaintiffs' new counsel thereafter completed the process of submitting a proposed discovery plan and scheduling order that was approved by the Court.

1 The parties have exchanged their Initial Disclosures. A Protective Order has been
2 negotiated and approved by the Court governing confidential information. Since the substitution
3 of counsel, there has been limited discussion of potential case resolution before extensive discovery
4 was undertaken.

5 Discovery has separately commenced. Plaintiff has served interrogatories and document
6 production requests on all Defendants in November, 2022. Defendant Roig served interrogatories
7 and document production requests upon Origin Consulting, Inc. in November, 2022. Origin
8 Consulting, Inc. served responses Roig's discovery requests on December 22, 2022. Defendants
9 Ali, Roig, and Thomas served responses to Plaintiff's requests for production of documents on
10 December 22, 2022. The parties are also coordinating depositions.

11 Discovery in this multi-party case is not as simple as in a two-party case. While the issues
12 against each defendant appear to be similar, there are specific issues against each defendant which
13 have required their own investigation and discovery. Additionally, the Parties are not centrally
14 located—Origin is located in Nevada, Marquez resides in Canada, Ali in Illinois, and Thomas in
15 North Carolina. Roig is the only defendant who resides in Nevada.

16 The pace of this case to date has been affected by several factors that are *not* associated with
17 lack of diligence. This is a multi-party case as noted above with witnesses and discovery sources
18 located throughout the United States and into Canada. New counsel for Plaintiffs has required time
19 to familiarize himself with the work conducted to date and to be completed. Counsel for all parties
20 have had trials scheduled in other matters. Counsel for three of the defendants was involved in a
21 Federal Court Jury trial in October/November of 2022. Counsel for Plaintiffs has been preparing
22 for a three-week arbitration that was set to commence in December 2022, and which is now going
23 to occur in January, 2023. There has also been limited discussion of potential case resolution.

24 The parties have conferred regarding an extension of time. The parties request that the
25 applicable case deadlines be extended by ninety (90) days.

26 **B. Statements Pursuant to LR 26-3.**

27 1. Discovery Completed to Date:

28 To date, the parties have completed the following discovery:

Date	Discovery
8/23/22	Defendant Roig, Ali and Thomas Initial Disclosures
8/29/22	Defendant Marquez Initial Disclosures
8/30/22	Plaintiffs' Initial Disclosures
11/16/22	Notice of Deposition to Defendant Roig
11/22/22	Plaintiff's First Request for Production to Defendants Marquez, Roig, Ali, Thomas
11/29/22	Plaintiff's First Set of Interrogatories to Defendants Marquez, Roig, Ali, Thomas
11/22/22	Defendant Roig's First Request for Production to Plaintiff Origin Consulting, Inc.
11/22/22	Defendant Roig's First Set of Interrogatories to Plaintiff Origin Consulting Inc.
12/22/22	Plaintiff's Responses to Roig's First Request for Production
12/22/22	Plaintiff's Responses to Roig's First Set of Interrogatories
12/22/22	Defendant Ali's Responses to Plaintiff's First Set of Document Production Requests
12/22/22	Defendant Thomas' Responses to Plaintiff's First Set of Document Production Requests
12/22/22	Defendant Roig's Responses to Plaintiff's First Set of Document Production Requests
12/23/22	Original date for deposition of Defendant Roig (reset to 1/5/23)

2. Description of Discovery that Remains to be Completed: Responses to Plaintiffs' interrogatories are due December 29, 2022. The parties are involved in and anticipate conducting further written discovery. Plaintiffs will depose defendant Roig on January 5, 2022. Additional depositions will be taken within the time remaining for discovery. Depositions include party depositions and various third-party depositions. Subpoenas in various jurisdictions may also be issued. In addition, it is anticipated that expert discovery will occur.

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3. Reasons Why Discovery Has Not Been Completed Within Current Time Limits:

Time remains to complete discovery; however, it has become reasonably clear that the deadlines in this case will need to be modified for the parties to fairly and properly prepare the matter before discovery closes. As noted above, the pace of this case to date has been affected by several factors that are *not* associated with lack of diligence. In addition to the factors previously noted, the parties have also been attempting to navigate around the Holidays including both Thanksgiving, and Holidays in December and January.

To allow both parties adequate time to perform to shape their case, complete discovery, retain experts, and prepare dispositive motions, the parties agree to amend the Scheduling Order by extending the following pre-trial deadlines an additional ninety (90) days.

4. Proposed Schedule: It is stipulated by the parties below that the parties shall consent to the proposed modified scheduling order as follows:

Amending Pleadings and Adding Parties	April 23, 2023 (From January 13, 2023)
Deadline for Initial Expert Disclosures	May 13, 2023 (From February 13, 2023)
Deadline for Rebuttal Expert Disclosures	June 15, 2023 (From March 15, 2023)
Deadline to Complete Discovery	July 13, 2023 (From April 13, 2023)
Deadline to File Dispositive Motions	August 13, 2023 (From May 12, 2023)
Deadline to File Joint Pre-Trial Order	September 13, 2023 (From June 12, 2023)

IT IS SO AGREED AND STIPULATED:

DATED: December 23, 2022.

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*Attorneys for Defendant
Beverly Marquez*

IT IS SO ORDERED.

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20 UNITED STATES MAGISTRATE JUDGE

21 DATED:
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